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3 PUBLIC UTILITIES COMMISSION OF OHIO

4 PUBLIC HEARING

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6 CASE NO: 14-1717-GA-BLN

7 ~ ~ ~ ~

8 Wednesday, April 8, 2015

9 Elyria, Ohio

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12 In the Matter of the Application of NRG

13 Ohio Pipeline Company, LLC, for approval of a

14 letter of notification for the Avon Lake Gas

15 Addition Project in Lorain County, Ohio.

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## APPEARANCES

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3 Sarah Parrot, Hearing Officer.

4 Dylan Borchers, Esq. On Behalf of NRG

5 Thomas O'Brien, Esq. On Behalf of NRG

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1 HEARING OFFICER: All right.

2 Let's go on the record.

3 The Ohio Power Siting Board has  
4 assigned for public hearing at this time  
5 place, Case Number 14-1717-GA-BLN, which  
6 is captioned: In the Matter of the  
7 Application of NRG Ohio Pipeline  
8 Company, LLC, for approval of a letter  
9 of notification for the Avon Lake Gas  
10 Addition Project in Lorain County, Ohio.

11 Good evening. My name is Sarah  
12 Parrot. I am the administrative law  
13 judge that's been assigned to hear this  
14 case. I work in the Board's legal  
15 department. I will be presiding at this  
16 hearing this evening. In addition,  
17 there are a number of board staff  
18 members that are here this evening.  
19 They're mostly out in the hallway here.  
20 There's a table out there with some of  
21 the Board's information. I believe  
22 there's a list of frequently asked  
23 questions about this project that's out  
24 there. If you haven't seen that, you  
25 might want to pick up a copy. But if

1           you do have questions, the Board staff  
2           is available this evening.

3           At this time, I wish to get started  
4           with appearances. We will start with  
5           the company, NRG Ohio Pipeline.

6           MR. O'BRIEN: Thank you, Your  
7           Honor. On behalf of NRG Ohio Pipeline,  
8           Bricker and Eckler, LLP, by Thomas  
9           O'Brien and Dylan Borchers, 100 South  
10          Third Street, Columbus, Ohio, 43215.  
11          Thank you.

12          HEARING OFFICER: Thank you,  
13          Mr. O'Brien.

14          Is counsel present for Ohio Edison  
15          Company, the Cleveland Electric  
16          Illuminating Company, and American  
17          Transmissions Systems, Incorporated?

18          Let the record reflect counsel for  
19          First Energy is not present this  
20          evening.

21          Is counsel for the Lorain County  
22          Property Owners that have been granted  
23          intervention in this proceeding present  
24          this evening?

25          MALE AUDIENCE MEMBER: Yes.

1 HEARING OFFICER: Counsel?

2 MALE AUDIENCE MEMBER: Oh. Never  
3 mind.

4 HEARING OFFICER: All right. Let  
5 the record reflect that counsel for the  
6 Lorain County property owners that have  
7 been granted party status in this  
8 proceeding is not present this evening.

9 The subject of today's hearing is a  
10 letter of notification application filed  
11 by NRG Ohio Pipeline Company for the  
12 purpose of constructing the Avon Lake  
13 Gas Addition Project, which consists of  
14 a proposed natural gas pipeline,  
15 metering station and regulating station  
16 in Lorain County, Ohio.

17 NRG pipeline filed its letter of  
18 notification application on December 19,  
19 2014. I would also note that the Board  
20 staff filed a report of investigation on  
21 March 27th, 2015. This is a  
22 recommendation of the Board staff and  
23 does not necessarily reflect what the  
24 Board's final determination in this case  
25 will be.

1           The purpose of this evening's local  
2           public hearing is to receive comments  
3           regarding NRG's pipeline letter of  
4           notification application from interested  
5           persons in the local community who are  
6           affected by the proposed project but who  
7           are not party to the case.

8           Tonight's local public hearing is  
9           not a question-and-answer session but is  
10          rather an opportunity to let the Board  
11          know what you think about the proposed  
12          project. Tonight's local public hearing  
13          is only one aspect of the process in  
14          this case. An evidentiary hearing is  
15          scheduled to commence on April 23rd,  
16          2015 at the Board offices in Columbus.

17          The purpose of the evidentiary  
18          hearing is for the parties: NRG  
19          Pipeline, First Energy, and the property  
20          owner interveners, as well as the Board  
21          staff to provide testimony and other  
22          evidence regarding the project.

23          Tonight's hearing is being  
24          transcribed by a court reporter. If you  
25          plan to testify, please speak clearly so

1           that the court reporter can accurately  
2           reflect your comments on the record.  
3           Also, if you have prepared a written  
4           statement, it would be helpful if you  
5           provide a copy to the court reporter.

6           When you arrived, you were offered  
7           the opportunity to e sign up to  
8           testify. After I finish with my  
9           introduction, I will begin calling  
10          witnesses forward that have signed the  
11          sign-up sheet and ask you to come up to  
12          the podium and face the court reporter.  
13          Before you give your comments, I will  
14          ask you to state your name and your  
15          address. Before you present your  
16          testimony, I will ask you to take an  
17          oath or affirmation that what you're  
18          about to say is the truth. Your  
19          testimony will then be considered part  
20          of the official record in this case, and  
21          it will be reviewed by the Board before  
22          a final decision is made on the  
23          application.

24          Additionally, the parties to the  
25          case and I will be permitted to ask you



1           questions about your statement. Should  
2           you decide that you do not want to  
3           testify when I call your name, you can  
4           merely pass to the next witness. Also,  
5           once you finished testifying, or if you  
6           are just here to observe, you may leave  
7           at any time you wish.

8           The Board appreciates your  
9           participation in tonight's hearing, and  
10          we want everyone who wishes to make a  
11          statement to have the opportunity to do  
12          so.

13          At this time, I will begin to call  
14          witnesses forward, and I apologize in  
15          advance if I mispronounce any names,  
16          which I'm sure to do.

17          Our first witness this evening is  
18          Michael Bertolone.

19          How did I do?

20          MR. BERTOLONE: You did it.

21                   - - - - -

22                  MICHAEL BERTOLONE,

23                  After having been first duly sworn, as  
24          hereinafter certified, was examined and testified  
25          as follows:

1           HEARING OFFICER: Please state your  
2           name and address.

3           MR. BERTOLONE: Michael Bertolone.  
4           3515 Prospect Avenue, Cleveland, Ohio.

5           I am here to represent the  
6           Operating Engineers Local 18. On behalf  
7           of our 15,000 current and retired  
8           members, I'm here to let the Board know  
9           that the operating engineers are in full  
10          support of the Avon Lake Gas Addition  
11          Project.

12          This project will provide great  
13          jobs for our members who install this  
14          pipe and perform future integrity and  
15          maintenance work on the pipeline.

16          This project will help fund our  
17          members health and welfare, pension, and  
18          our apprenticeship program training  
19          book.

20          We have a commitment from NRG to  
21          utilize our members on this project, and  
22          this will ensure that the safest, most  
23          qualified operators are utilized on the  
24          project.

25          We urge the Board to take into

1 account the operating engineers and the  
2 other trades that will also benefit from  
3 this project when deciding to approve.  
4 Thank you.

5 HEARING OFFICER: Thank you very  
6 much.

7 Any questions from the company?

8 MR. O'BRIEN: No questions, Your  
9 Honor.

10 HEARING OFFICER: Our next witness  
11 is Paul Harvey.

12 At this point, I'm just going to  
13 make a general announcement. There are  
14 quite a few of you in the room that are  
15 wearing blue T-shirts with NRG's logo.  
16 In light of that, I do need to ask you,  
17 if you're wearing one whether you are an  
18 employee of NRG, and if so, what the  
19 purpose of your testimony is. We may  
20 need to -- and I see that. So please  
21 answer the question, are you an employee  
22 of NRG?

23 MR. HARVEY: Yes, I am an employee  
24 of NRG.

25 HEARING OFFICER: In what capacity

1 are you testifying this evening?

2 MR.HARVEY: Well, I'm testifying  
3 from the fact that I'm a new resident of  
4 Ohio. I previously lived in New York,  
5 and while I was there, I experienced the  
6 blackout of 2003.

7 HEARING OFFICER: Well, let me cut  
8 you off there. Are you testifying in  
9 your official capacity as an employee of  
10 the company this evening?

11 MR. HARVEY: No.

12 HEARING OFFICER: All right. So  
13 you're testifying purely as a citizen of  
14 the -- or an individual of the State of  
15 Ohio?

16 MR.HARVEY: Who lives in Ohio in  
17 Avon Lake.

18 HEARING OFFICER: All right. We'll  
19 see how it goes from there. Please  
20 state your name and address.

21 MR. HARVEY: My name is Paul  
22 Harvey. I live at 264 Moore Road, Avon  
23 Lake, Ohio.

24 Back in 2003 I lived and worked in  
25 upstate New York, and we experienced

1           what we call a catastrophic blackout to  
2           pretty much the entire northeastern  
3           seaboard of the country and definitely  
4           sections of the midwest. That was due  
5           to many reasons, but they could not  
6           stabilize the grid.

7           Avon Lake's generating station has  
8           a very critical role to play in  
9           stability of the grid and the supply of  
10          electricity to the residence who receive  
11          power from the station.

12          During that 2003, people don't  
13          realize how important electricity is  
14          until you don't have it. Simple things  
15          such as pumping gas, can't do it.  
16          People with relatives in the hospital on  
17          electric-powered life-saving equipment,  
18          their lives became at risk.

19          This power station stabilizes the  
20          grid. No questions about it. No  
21          doubt. When I look at Avon Lake -- I  
22          live here in Ohio. I don't just look at  
23          it as a gas line coming to the plant,  
24          but something that's going to have an  
25          effect on the quality of life in the

1 region. The importance of this plant in  
2 terms of being able to go home and know  
3 that the light will come on and stay on,  
4 very important. It's an established  
5 fact. That's all I have to say.

6 HEARING OFFICER: Thank you,  
7 Mr. Harvey.

8 MR. O'BRIEN: Mr. Harvey, I just  
9 have a quick question for you.

10 Could you clarify for the record  
11 who your employer is?

12 MR. HARVEY: NRG.

13 MR. O'BRIEN: NRG?

14 MR. HARVEY: Avon Lake Generating  
15 Station.

16 MR. O'BRIEN: Avon Lake Generating  
17 Station. Thank you.

18 HEARING OFFICER: Thank you,  
19 Mr. O'Brien.

20 Our next witness is the Honorable  
21 Greg Zilka.

22 - - - - -

23 MAYOR GREG ZILKA,

24 After having been first duly sworn, as  
25 hereinafter certified, was examined and testified

1 as follows:

2 HEARING OFFICER: Please state your  
3 name and address.

4 MR. ZILKA: My name is Greg Zilka.  
5 I'm the Mayor of the City of Avon Lake.  
6 My residence is 375 Creekside Drive.  
7 Obviously, Avon Lake, Ohio.

8 Madam Chair and Members of The Ohio  
9 Power Siting Board, thank you for coming  
10 to Lorain County to hear the testimony  
11 of the people on the proposed NRG  
12 Natural Gas Pipeline.

13 On February 29, 2012 GenOn Energy,  
14 Incorporated announced that it would  
15 close the coal-powered electrical  
16 generating plant in April of 2015 due to  
17 the rising costs associated with newly  
18 established EPA regulations. The  
19 overwhelming costs associated with  
20 complying with the new Mercury and Air  
21 Toxic Standards (MATS,) it was  
22 determined, could not be recovered by  
23 continuing to operate the plant, which  
24 is an older coal-powered plant.

25 In March of 2012 I was contacted by

1 a staff member of the House of  
2 Representatives Committee of the  
3 Judiciary to come to Washington to  
4 testify to a subcommittee about these  
5 varying standards. In lieu of my going  
6 there, I did ask our Environmental  
7 Committee Chairman Rob James, who is our  
8 environmental lawyer through that  
9 instead. He also would testify several  
10 months later at a U.S. Senate Committee  
11 on the environment, again, a  
12 subcommittee, testifying about the  
13 economic impact of the plants closing.

14 The loss to the city of income tax  
15 revenues and property tax due to the  
16 closing of the plant by themselves may  
17 seem high, which is approximately  
18 \$580,000. But to repair -- to compare  
19 that loss to the revenue with the  
20 substantial loss of revenue of the local  
21 government funds and the estate tax  
22 totaling approximately one million  
23 dollars creates a substantial burden on  
24 the city's operating costs. Those are  
25 the numbers that we calculated two years



1           ago. They pretty much hold.

2           Mr. Scott, the superintendent of  
3           Avon Lake City Schools, I'm sure, will  
4           tell you more, more harrowing story  
5           about what the schools are facing.  
6           We're proud of our schools. We're proud  
7           of our city services. Both entities  
8           bring a quality of life which we all  
9           enjoy.

10          In July of 2012, NRG Energy,  
11          Incorporated and GenOn announced that  
12          they would combine the two companies,  
13          and in December 2012 the merger was  
14          completed with NRG as the successor  
15          company.

16          In June of 2013, NRG announced it  
17          was planning to keep the Avon Lake  
18          facility open contingent upon the  
19          ability to install an 18-mile long  
20          natural gas pipeline from south of  
21          Grafton, Ohio to the shores of Lake  
22          Erie.

23          On March 9th of this year the Power  
24          Siting Board met and scheduled a public  
25          hearing on the construction of the

1           proposed pipeline, and that brings us  
2           here this evening.

3           The power plant has been in  
4           existence since 1920, and the region has  
5           benefited not only from its electric  
6           power, but also from the substantial tax  
7           dollars which have funded our schools,  
8           the quality services performed by the  
9           City of Avon Lake, our public library,  
10          our vocational school and community  
11          college and other various county  
12          programs that have met the needs of the  
13          residence of Lorain County.

14          Industrial giants, such as Ford  
15          Motor Company and BFG Goodrich chose  
16          Avon Lake in the past in part, due to  
17          the supply of electrical power. The  
18          latter has evolved into three different  
19          industrial entities, PolyOne with its  
20          corporate headquarters in Avon Lake. A  
21          branch of Lubrizol and Mexichem all on  
22          the former B.F. Goodrich site. Other  
23          smaller industrial firms have also  
24          provided employment that have supported  
25          the solid middle class in Northern Ohio,

1 including Lorain County. All can trace  
2 their history back to the plentiful  
3 electrical power on the shores of Lake  
4 Erie. It is in the best interest of  
5 Northern Ohio that the plant continue to  
6 provide power to the grid so that we can  
7 maintain what we have now and to grow,  
8 also, in the future.

9 It's evident that without the  
10 natural gas pipeline and the tax revenue  
11 that it would be generated, city  
12 services and academic programs would be  
13 put in jeopardy. Some residents of our  
14 community initially found comfort in the  
15 prospect of the plant's closing. Cleaner  
16 air and the use of the site for luxury  
17 housing and shopping and upscale  
18 restaurants would be very appealing to  
19 some. But the alternative to the plant  
20 staying open would be a large industrial  
21 structure surrounded by a fence, as NRG  
22 has no plans to tear it down and it  
23 could sit idle for many years. Very few  
24 tax dollars generated and a very large  
25 facility in a condition that would be

1 much less appealing than what we see  
2 right now will be the likely result.  
3 Even if the plant were to be sold, the  
4 prospect of clearing the site of  
5 hazardous materials from almost 90 years  
6 of use when it was common practice in  
7 the past to dump waste chemicals onto  
8 the ground and other unforeseen concerns  
9 would be a huge challenge.

10 In closing, we have a constructive  
11 dialogue with the representatives of  
12 NRG. We have a common purpose, but we  
13 have different masters. We have an  
14 ongoing difference of opinion as to what  
15 is the fair level of tax revenue to be  
16 generated by the power plant and the  
17 surrounding infrastructure. We  
18 represent the residence of the city, and  
19 they answer to their shareholders. We  
20 are both committed to keeping the plant  
21 open, and we will continue to work  
22 toward a common goal, a natural gas  
23 pipeline generating electricity using a  
24 cleaner fuel that provides jobs and a  
25 fair rate of taxes to allow for quality

1 city services and an excellent school  
2 system to continue. We offer our full  
3 support and cooperation in making the  
4 pipeline a reality.

5 Madam Chair, thank you for this  
6 opportunity to present our views and  
7 concerns. Your decisions will affect or  
8 future. Thank you.

9 HEARING OFFICER: Thank you, Mayor  
10 Zilka.

11 Any questions from counsel?

12 MR. O'BRIEN: No questions, Your  
13 Honor.

14 HEARING OFFICER: Thank you.

15 Our next witness is Councilman  
16 Dan -- I apologize, Dan. Bucci?

17 MR. BUCCI: Perfect.

18 - - - - -

19 DAN BUCCI,

20 After having been first duly sworn, as  
21 hereinafter certified, was examined and testified  
22 as follows:

23 HEARING OFFICER: Please state you  
24 name and address for the record.

25 MR. BUCCI: Thank you. Dan Bucci,

1 B-U-C-C-I. Address is 31904 Fieldstone  
2 Circle, Avon Lake, Ohio 44012.

3 Madam Chair, thank you for holding  
4 this hearing in Lorain County, and thank  
5 you for the opportunity to appear this  
6 evening.

7 My name is Dan Bucci, and I have  
8 the honor of representing over 22,000  
9 residence of Avon Lake as one of their  
10 at-large members of City Council. I've  
11 been on council for five years and chair  
12 our Economic Development Committee, as  
13 well as the Human Resources Committee.  
14 I'm also the co-chair of the West End  
15 Redevelopment Commission, which I will  
16 tell you a little bit more about later  
17 in my testimony.

18 Avon Lake, I'm biased, but it's a  
19 beautiful town a little east of here on  
20 the shores of Lake Erie. It's a very  
21 friendly and welcoming place to raise a  
22 family and eventually retire.

23 Madam Chair, you just heard from  
24 our mayor, Greg Zilka, so I will not  
25 belabor the points that he made, or the

1 points that representatives of the  
2 school board will make. However, this  
3 hearing is about the ever-important  
4 issue of if and how and when the  
5 proposed pipeline can be sited and  
6 constructed; in other words, deciding  
7 the fate of the Avon Lake plant. With  
8 no pipeline, there is no plant.

9 Closing of the plant would  
10 certainly have a negative impact on the  
11 City of Avon Lake. First and foremost,  
12 the city would be left with the ruins of  
13 a century-old power plant. As I said, I  
14 co-chair the West End Redevelopment  
15 Commission as a group of elected  
16 officials, but more importantly,  
17 business owners and residents that are  
18 working to revitalize the entire west  
19 side of Avon Lake, including the general  
20 vicinity of the plant. Our goals would  
21 be considerably easier to accomplish if  
22 we could work with a thriving  
23 participant of the business community  
24 rather than a vacant mass of steel. Of  
25 course there would be the loss of jobs,

1           as well. Obviously, this reduces the  
2           amount of tax revenue coming into the  
3           City that pays for vital services, most  
4           notably, our fire and EMS service relies  
5           heavily on property taxes.

6           While we oppose NRG's continued  
7           efforts to reduce its tax valuation, we  
8           were well aware that a closure of the  
9           plant would foster the steepest  
10          reductions possible. But the plant  
11          shuttering its doors also has a human  
12          toll on the men and women that will be  
13          out of a job. The stress and pain of  
14          being out of work and worrying about how  
15          one will provide for his or her family  
16          has an immeasurably negative impact on  
17          families, neighborhoods, and communities  
18          in general.

19          The impact on the Avon Lake Schools  
20          would be even more pronounced. Well  
21          over 90 percent of our graduating  
22          seniors go on to either a two- or a  
23          four-year college or out to serve our  
24          country in the military. The school  
25          system is a major reason why people



1 choose to move or remain in Avon Lake.

2 It is everyone's best interest,  
3 students, parents, and homeowners, to  
4 maintain those high standards. Denying  
5 this pipeline and causing the plant to  
6 close would make this a near  
7 impossibility.

8 Not too long ago, the residents of  
9 Avon Lake very generously passed a major  
10 tax levy -- major tax levy to make up  
11 for the lost revenues from the power  
12 plant. They simply cannot be asked to  
13 give more.

14 In conclusion, Madam Chair, I want  
15 to make it clear that Avon Lake City  
16 Council is willing to work with you, the  
17 Power Siting Board, and the Public  
18 Utilities Commission, NRG, and the  
19 surrounding communities to ensure this  
20 pipeline is safely constructed in  
21 accordance with all equipable laws and  
22 regulations to everyone's benefit.  
23 Thank you.

24 HEARING OFFICER: Any questions  
25 Mr. O'Brien?

1                   MR. O'BRIEN: No questions, Your  
2 Honor.

3                   HEARING OFFICER: Thank you very  
4 much.

5                   Our next witness is Adrian Peyton.

6                   - - - - -

7                   ADRIAN PEYTON,

8           After having been first duly sworn, as  
9 hereinafter certified, was examined and testified  
10 as follows:

11                  HEARING OFFICER: Please state your  
12 name and address.

13                  MR. PEYTON: My name is Adrian  
14 Peyton. I live at 932 Fairwood  
15 Boulevard, Elyria, Ohio.

16                  I'd like to take this opportunity  
17 to speak on behalf of the President of  
18 Local 270, myself as chairman of Local  
19 270, Avon Division, as well as the  
20 general membership of the workers of the  
21 plant. We represent the union craft,  
22 the workers of the Avon Lake Power  
23 Plant, and I am speaking today in  
24 support of the proposed energy pipeline  
25 at the Avon Lake Plant.

1           For years the public has asked for  
2           clean power, cleaner air. This pipeline  
3           will allow the plant to remain open and  
4           be fueled by natural gas to meet new  
5           environmental regulations. This means  
6           continued well-paying jobs for our union  
7           members, as well as tax support for the  
8           local economy of Lorain County. Our  
9           other union brothers and sisters at  
10          other area plants, at Lake Shore, East  
11          Lake, Ashtabula are not being afforded  
12          this opportunity. Those plants will no  
13          longer be generating on coal. They're  
14          not given the chance as we have been  
15          given to run on gas. So in this  
16          environment where other plants are being  
17          shut down, we appreciate NRG Energy's  
18          work to keep our plant open. And I  
19          would request that the Ohio Power Siting  
20          Board grant a quick approval of the NRG  
21          Ohio Pipeline Application.

22               HEARING OFFICER: Any questions?

23               MR. O'BRIEN: No questions, Your  
24               Honor.

25               HEARING OFFICER: Thank you,

1 Mr. Peyton.

2 Our next witness is Mike Sweeney.

3 - - - - -

4 MIKE SWEENEY,

5 After having been first duly sworn, as  
6 hereinafter certified, was examined and testified  
7 as follows:

8 HEARING OFFICER: Please state you  
9 name and address.

10 MR. SWEENEY: Mike Sweeney, 572  
11 Bridgeside Drive, Avon Lake, Ohio.

12 There appears to be a war on coal  
13 in this country, and while other forms  
14 of electrical generation may have  
15 environmental benefits, they're not  
16 viable to best opportunities at the  
17 present time. And I'm concerned as we  
18 keep shutting down all these power  
19 plants how we're going to maintain the  
20 grid. It's one thing to talk about  
21 improvement, but you have to have an  
22 alternate solutions.

23 I strongly urge that this power  
24 plant be kept open so that it be part of  
25 the grid, especially converting to a

1 more beneficial, cleaner-burning power  
2 source. Thank you.

3 HEARING OFFICER: Any questions?

4 MR. O'BRIEN: Yes, Your Honor.

5 Mr. Sweeney, I just want to clarify  
6 for the record, you don't work for NRG  
7 Ohio Pipeline, do you?

8 MR. SWEENEY: No.

9 MR. O'BRIEN: Thank you.

10 HEARING OFFICER: Thank you,  
11 Mr. O'Brien.

12 Our next witness is Susan Poole.

13 All right, Miss Poole, you know  
14 what question I'm going to ask you. Who  
15 is your employer?

16 MS. POOLE: It is not NRG.

17 HEARING OFFICER: Okay. Is it the  
18 generating station?

19 MS. POOLE: No.

20 HEARING OFFICER: Okay.

21 - - - - -

22 SUSAN POOLE,

23 After having been first duly sworn, as  
24 hereinafter certified, was examined and testified  
25 as follows:

1           HEARING OFFICER: All right.

2           Please state your name and address.

3           MS. POOLE: My name is Susan Poole,  
4           and I live at 415 Crestwood Drive in  
5           Avon Lake.

6           I am the director of a local  
7           organization in Avon Lake called  
8           Community Resource Services. Our agency  
9           provides basic needs assistance to  
10          low-income households living in the  
11          communities of Avon and Avon Lake.

12          I am here to say a few words about  
13          what an outstanding corporate citizen  
14          that NRG is, as I've seen firsthand how  
15          concerned they are about the community  
16          around them.

17          First, they responded to our  
18          requests in a variety of the ways. For  
19          starters, they've been the primary  
20          corporate sponsor for our major fund  
21          raiser each year. But they also host  
22          food drives throughout the year to help  
23          keep our pantries stocked throughout the  
24          year. And they send employee volunteers  
25          to our office whenever we give them a

1 call and say we're shorthanded, we need  
2 some help. They send people over and  
3 they help us stock the shelves and sort  
4 through cans.

5 Holiday times they're more than  
6 willing to help our clients by having a  
7 giving tree in their office so that we  
8 can provide gifts to needy families.

9 I also see NRG as a very proactive  
10 corporation in terms of how much they  
11 care about their community as well. For  
12 instance, back in 2012 when there was a  
13 major storm, they gave us a call and  
14 said, how can we help people in our  
15 local community that might be suffering  
16 from the effects of this storm. That  
17 also came with a very nice support and  
18 some manpower to help us do some things,  
19 too.

20 So as a private, non-profit  
21 organization, we really couldn't do any  
22 of what we do without generous  
23 corporations in our community, like  
24 NRG. We're very lucky to have them in  
25 our community and to have them support

1           our mission and to understand what we  
2           do.

3           The hundreds of low-income families  
4           that we serve each year at CRS have  
5           truly benefited from the support that  
6           we've received from NRG, and we're very  
7           grateful. Thank you.

8           HEARING OFFICER: Any questions?

9           MR. O'BRIEN: No questions, Your  
10          Honor.

11          HEARING OFFICER: Thank you, Miss  
12          Poole.

13          All right. Our next witness is  
14          Michelle Seary?

15          MS. SEARCY: Searcy.

16          HEARING OFFICER: Searcy. Got it.

17          Are you an employee of the pipeline  
18          or the generating station?

19          MS. SEARCY: The generating  
20          station.

21          HEARING OFFICER: The generating  
22          station.

23          - - - - -

24          MICHELLE SEARCY,

25          After having been first duly sworn, as



1 hereinafter certified, was examined and testified  
2 as follows:

3 HEARING OFFICER: Please state your  
4 name and address.

5 MS. SEARCY: My name is Michelle  
6 Searcy. My address is 325 Main Street,  
7 I live in Luckey, Ohio.

8 HEARING OFFICER: Miss Searcy, I'm  
9 sorry. Before you start, are you  
10 testifying in an official capacity as an  
11 employee of the generating station this  
12 evening or as a personal -- you have a  
13 personal interest in the project?

14 MS. SEARCY: It's more personal  
15 interest in the project.

16 HEARING OFFICER: Okay. Then  
17 please proceed.

18 MS. SEARCY: I've been employed at  
19 the generating station for about a year  
20 and a half. I have to say, Avon Lake is  
21 an awesome community. I actually drive  
22 90 miles each way to come to work. I  
23 have a ten-year old son. And I know  
24 that the plant has been around since  
25 1926. I can't imagine it being closed.

1           And I know that they've supported the  
2           schools. And I really think that that's  
3           what's important for our young people,  
4           as well. But that's really what I  
5           wanted to say. Thank you.

6           HEARING OFFICER: Questions  
7           Mr. O'Brien?

8           MR. O'BRIEN: No questions, Your  
9           Honor.

10          HEARING OFFICER: Thank you, Miss  
11          Searcy.

12          Our next witness is Scott Cameron.  
13          All right. Let's go ahead and swear you  
14          in first.

15                       - - - - -

16          SCOTT CAMERON,

17          After having been first duly sworn, as  
18          hereinafter certified, was examined and testified  
19          as follows:

20          HEARING OFFICER: And Mr. Cameron,  
21          before we start, are you an employee of  
22          the generating station or pipeline,  
23          either one?

24          MR. CAMERON: Generating station.

25          HEARING OFFICER: The generating

1 station. Are you testify in an official  
2 capacity?

3 MR. CAMERON: No.

4 HEARING OFFICER: The company  
5 hasn't asked you to testify?

6 MR. CAMERON: No.

7 HEARING OFFICER: Please state your  
8 name and address.

9 MR. CAMERON: My name is Scott  
10 Cameron. I live at 9604 State Route 60,  
11 Wakeman, Ohio.

12 I don't have a lot to say. I've  
13 been an employee of the plant for 25  
14 years. It's helped -- the earnings I've  
15 made there put two of my kids through  
16 college and, you know, it's been a great  
17 place to work. And it's -- you know,  
18 the plant's been there 90 years. It's  
19 supported a lot of the community. It's  
20 provided, you know, income for a lot of  
21 people over the years. And it would  
22 sure be a shame to see it close down  
23 when there is a cleaner fuel out there  
24 that's available to run the plant. So  
25 I'd just like to ask the Board to, you

1 know, really consider passing this.

2 HEARING OFFICER: Thank you.

3 Any questions?

4 MR. O'BRIEN: No questions, Your  
5 Honor.

6 HEARING OFFICER: Thank you,  
7 Mr. Cameron.

8 All right. Our next witness is  
9 the Honorable Terry Boose.

10 - - - - -

11 TERRY BOOSE,

12 After having been first duly sworn, as  
13 hereinafter certified, was examined and testified  
14 as follows:

15 HEARING OFFICER: Please state your  
16 name and address.

17 MR. BOOSE: Terry Boose. 5054  
18 State Route 601, Norwalk, Ohio.

19 Thank you very much for being here  
20 tonight. I really appreciate you coming  
21 to Lorain County.

22 To the members of the Ohio Power  
23 Siting Board and the people of Lorain  
24 County, my name is Terry Boose. And I  
25 represent the southern townships of

1 Lorain County, as well as parts of North  
2 Ridgeville and all of Avon. I speak to  
3 you today to voice my support for the  
4 proposed NRG Pipeline for the Avon Lake  
5 Power Plant.

6 First, the proposed route of the  
7 pipeline has been crafted with careful  
8 consideration. No portion of the  
9 pipeline would significantly alter  
10 existing land use, as the pipeline has  
11 already been routed per landowner  
12 negotiations.

13 A portion of the pipeline would  
14 travel through existing utility  
15 corridors, meaning the project is  
16 designed to avoid high population and  
17 traffic locations. The pipeline would  
18 not break up any parts of wetlands,  
19 ensuring a minimal impact on wildlife.

20 Next, the benefits of building the  
21 pipeline are important to the economic  
22 health of the region. The construction  
23 of the pipeline would ensure that Avon  
24 Lake Power Plant can remain open and  
25 make the transition from coal power to

1 more environmentally friendly gas  
2 power. This move would not only  
3 maintain good paying jobs and a reliable  
4 tax base for the City of Avon Lake, but  
5 would help contribute to the existing  
6 power grid diversity in our region,  
7 ensuring that we do not have to rely on  
8 distance sources of power.

9 Finally, it should be noted that  
10 NRG has gone above and beyond the  
11 qualifications mandated when planning  
12 the construction of the pipeline.  
13 Besides sending letters of notification  
14 to local governments and public  
15 libraries, NRG hosted two public  
16 hearings and made themselves available  
17 to interested parties to field questions  
18 and alleviate concerns. Their pipeline  
19 construction would follow all federal  
20 and state safety guidelines and would  
21 use state-of-the-art materials to  
22 maximize reliability.

23 In conclusion, the NRG pipeline  
24 project can be an economic boom to Avon  
25 Lake and the surrounding region. NRG

1           has worked diligently to mitigate any  
2           potential long-term costs the project  
3           may cause. The jobs created by  
4           construction and maintained by  
5           continuing operations at the Avon Lake  
6           Power Plant are a much better  
7           alternative to a dormant plant and no  
8           jobs at all. I urge the favorable  
9           support of the pipeline project from the  
10          Board and the public.

11           HEARING OFFICER: Thank you. Any  
12          questions?

13           MR. O'BRIEN: No questions, Your  
14          Honor.

15           HEARING OFFICER: All right. Thank  
16          you very much, Representative Boose.

17           All right. I think I'm going to  
18          mispronounce the next one. James  
19          McManameo.

20           - - - - -

21           JAMES McMANAMON

22          After having been first duly sworn, as  
23          hereinafter certified, was examined and testified  
24          as follows:

25           HEARING OFFICER: And I'm going to

1 ask, are you an employee of either the  
2 generating station or the pipeline?

3 MR. McMANAMON: No, I'm not. I'm  
4 the Business Manager of the Cleveland  
5 Boilermakers.

6 HEARING OFFICER: Very good.  
7 Please state your name and address.

8 MR. McMANAMON: I'm James  
9 McManamed, 1435 East 13th Street.

10 HEARING OFFICER: Please proceed.

11 MR. McMANAMON: Okay. Good  
12 evening. My name is James McManamon. I  
13 am the business manager, secretary  
14 /treasurer of Boilermakers Local 744.  
15 We cover 17 counties in Ohio, four in  
16 Pennsylvania, and Lorain County. I  
17 began my career 37 years ago and have  
18 personally worked at Avon doing clean  
19 air work and boiler work.

20 My local was chartered on November 8,  
21 1920 in Cleveland, Ohio, and their  
22 members are vital to the heavy  
23 industry.

24 The Boilermaker trade consists of  
25 highly-skilled craftsmen and women, who



1 specialize in new construction and  
2 maintenance of industrial plants such as  
3 the Avon Lake Power Plant.

4 Boilermakers are thoroughly trained  
5 in special skills such as TIG/MIG  
6 welding, oxyacetylene burning, arc  
7 gouging, plasma arc cutting, tank  
8 erection, fitting, blueprint reading,  
9 and other relating aptitudes. Members  
10 of Local 744 arrive on the job site with  
11 OSHA safety training, drug tested, and  
12 ready to meet the needs of the  
13 construction industry's owners and  
14 contractors. Our goal is to provide  
15 highly-skilled workers that help ensure  
16 projects are completed on time and on or  
17 under budge.

18 Additionally, I serve as a trustee  
19 for the Cleveland Building Trades  
20 Council which has over 10,000 members  
21 that live and work in this region.

22 Finally, my local belongs to the  
23 Affiliated Construction Trades Ohio  
24 Foundation, ACT Ohio, which structurally  
25 has 14 regional council and 137 local

1 affiliates in total.

2 ACT Ohio is proud to represent more  
3 than 90,000 building tradesmen and women  
4 across the State of Ohio. ACT Ohio was  
5 create to facilitate economic and  
6 industrial development, promote  
7 industries best practices for Ohio's  
8 public and private construction.

9 On behalf of these organizations, I  
10 am here with my members this evening in  
11 support of the proposed pipeline  
12 submitted to the Ohio Power Siting Board  
13 by NRG Ohio Pipeline. This is an  
14 important project for the region and the  
15 state, and will certainly benefit my  
16 members and their families. By enabling  
17 the Avon Lake Power Plant to stay on  
18 line, this project will allow the  
19 facility to remain a viable economic  
20 benefit to this community for years to  
21 come.

22 Since the inception of the Clean  
23 Air Act of 1970, the amendments in 1977  
24 and 1990, it has become increasingly  
25 difficult to bring existing coal-burning

1           boilers into compliance with these  
2           standards. I couldn't have said it any  
3           better, there is a crusade against  
4           coal.

5           Many of the boilers in our area  
6           have had to shut down operation due to  
7           the increase costs of compliance. These  
8           are decisions that the utilities have  
9           had to make in their systems.  
10          Unfortunately, our area of northeast  
11          Ohio has been negatively effected by  
12          these shutdowns, causing loss of jobs to  
13          the area. Boilermakers have had to seek  
14          work out of our jurisdiction and other  
15          states. So as far as you can see, that  
16          not only are the lives of the plant  
17          people who work at the facility unsafe,  
18          but also others, such as boilermakers,  
19          other craft trades, tooling, machinery  
20          and other suppliers are also affected by  
21          loss of jobs which affect the economy  
22          and the area.

23          Hundreds of construction workers  
24          have benefited from the employment  
25          opportunities afforded the area by

1 virtue of the plant being located here.

2 In closure, deactivation would cut  
3 deep in the fabric of this community. I  
4 am grateful for this proposal and the  
5 opportunity to speak, as it has the  
6 potential to instill much needed  
7 longevity in this plant.

8 If the plant is forced to close  
9 its doors completely and unable to  
10 operate, then the loss of tax dollars to  
11 the area would also enter into the mix.

12 As stated by NRG in its  
13 application, the project will bring  
14 environmental, economic, employment and  
15 electrical supply reliability benefits  
16 to the State of Ohio. The project will  
17 contribute significantly to the local  
18 economy through jobs and taxes. NRG  
19 Ohio Pipeline anticipates hiring local  
20 construction workers with a requisite  
21 experience for the installation of the  
22 proposed pipeline where possible.  
23 Revenues from construction employment,  
24 as well as local expenditures by both  
25 the construction companies for

1 construction materials and nonlocal  
2 construction workers for temporary  
3 housing, food and entertainment will  
4 benefit the local economy. To me it's  
5 simple, if this proposal results in  
6 dozens of job opportunities for our  
7 members and others, longevity for this  
8 key power producing facility, increased  
9 promotion of economic industrial growth,  
10 supply stabilization, then the proposal  
11 is a winner across the board.

12 I strongly urge you to closely  
13 consider -- close consideration on all  
14 that you have heard today and approve  
15 the proposal from NRG Ohio Pipeline  
16 Company. Thank you.

17 HEARING OFFICER: Any questions?

18 MR. O'BRIEN: No questions, Your  
19 Honor.

20 HEARING OFFICER: Thank you very  
21 much.

22 - - - - -

23 SCOTT HOEIRLE,

24 After having been first duly sworn, as  
25 hereinafter certified, was examined and testified

1 as follows:

2 HEARING OFFICER: Before we get  
3 started, are you an employee of the  
4 generating station or the pipeline  
5 company.

6 MR. HOEIRLE: No. I am not.

7 HEARING OFFICER: Very good. State  
8 your name and address.

9 MR. HOEIRLE: Scott Hoeirle. 1971  
10 Sexton Road, Austinburg, Ohio. That's  
11 out in Ashtabula County. So I do travel  
12 quite a ways to come to this plant to  
13 work. And I want to reiterate what the  
14 boilermaker said, the peripheral jobs  
15 that you're going TO lose, if this does  
16 not go through, is going to be  
17 substantial. Not only the people in  
18 this plant themselves, but -- like, I  
19 stay out here at least two nights a  
20 week. So I'm paying for hotels. I'm  
21 going to your restaurants. Stopping t  
22 buy gas here. So when you start losing  
23 that base of the people that actually  
24 support the plant, then it's not only  
25 the people that work at the plant that

1           are going to lose. It's all that  
2           peripheral business that's you're going  
3           to have a problem with. So yeah, I  
4           think you ought to do the pipeline,  
5           personally. Thank you.

6           HEARING OFFICER: Questions?

7           MR. O'BRIEN: Yes, Your Honor.

8           Mr. Hoeirle, what do you do at the  
9           plant?

10          MR. HOEIRLE: Oh, I'm sorry. I  
11          should have said. I'm a pipe fitter  
12          with Local 120.

13          MR. O'BRIEN: So a pipe fitter?

14          MR. HOEIRLE: Yes. And I been at  
15          that plant for about seven years now.

16          MR. O'BRIEN: Thank you, Your  
17          Honor.

18          HEARING OFFICER: All right. Thank  
19          you.

20          Our next witness is Mr. Craig?  
21          Matt Craig?

22          MR. CRAIG: I'll pass.

23          HEARING OFFICER: Okay. Next we  
24          have Chester Kantosky?

25          MR. KANTOSKY: Yeah. I'll pass,

1 Ma'am.

2 HEARING OFFICER: Okay. Dan

3 Rogatto.

4 - - - -

5 DAN ROGATTO,

6 After having been first duly sworn, as  
7 hereinafter certified, was examined and testified  
8 as follows:

9 HEARING OFFICER: And before we get  
10 started, are you an employee of the  
11 generating station or the pipeline?

12 MR. ROGATTO: Generating station.

13 HEARING OFFICER: Are you  
14 testifying in your official capacity as  
15 an employee of the company this evening?

16 MR. ROGATTO: As an employee.

17 HEARING OFFICER: You are  
18 testifying as an employee?

19 MR. ROGATTO: Yes.

20 HEARING OFFICER: Then I'm going to  
21 have to ask you not to testify this  
22 evening. You are a party to the case,  
23 and you will have -- the company will  
24 have a full opportunity at the  
25 evidentiary hearing.



1 MR. ROGATTO: Okay.

2 HEARING OFFICER: All right. At  
3 this point, I just want to make a  
4 general announcement. For those of you  
5 who have a written copy of your  
6 statement this evening, if you could  
7 please provide a copy of that to the  
8 court reporter, that is extremely  
9 helpful for her in preparing the  
10 transcript of this evening's hearing.

11 Shes's sitting here in the front  
12 row in the nice brown jacket. So if you  
13 have that, please bring that to her.

14 At this point, I'm going to take a  
15 brief break. I do think I have another  
16 page of a sign-in sheet, so I'm going to  
17 go collect that. I would like anybody  
18 in the audience that hasn't yet signed  
19 up to testify that wishes to do so to  
20 use this opportunity to go sign up now.  
21 And one other thing, I need to see Gary  
22 and Kathleen Conlyn here please.

23 Off the record for a few minutes.

24 - - - - -

25 (Thereupon, a brief recess was had.)

1                               - - - - -

2                   HEARING OFFICER: All right. Back  
3                   on the record. Our next witness is  
4                   Martha Walter.

5                               - - - - -

6                   MARTHA WALTER,  
7                   After having been first duly sworn, as  
8                   hereinafter certified, was examined and testified  
9                   as follows:

10                  HEARING OFFICER: State your name  
11                  and address.

12                  MS. WALTER: Martha Walter. 12791  
13                  Indian Hollow Road, Grafton, Ohio.

14                  HEARING OFFICER: Okay. Thank  
15                  you.

16                  MS. WALTER: I hear all these  
17                  things where Avon is supportive of NRG  
18                  and the employees are supportive of  
19                  NRG. But if you're a landowner and you  
20                  feel like you're being raped, which we  
21                  do, because they're not -- they're  
22                  actually taking land value from us. And  
23                  I understand the taxes in Avon. Our  
24                  taxes in the last four years have almost  
25                  doubled, not because of NRG. It's the

1 laws and everything. They just did it.  
2 So we're pushing close to 10,000 a year  
3 now.

4 NRG is coming across our land.  
5 They want to pay you per linear foot.  
6 They're not -- it's not square footage.  
7 It's linear foot. And they're going  
8 across our road front property. Road  
9 front property is your most expensive  
10 property. We already have the  
11 utility -- the electric company running  
12 through there. That's taken,  
13 approximately -- I believe it's 90  
14 feet. NRG wants to add -- not in to  
15 electric power lines. They butt up  
16 against it and come out. Once they do  
17 that, that land is totally devalued.  
18 You would think that NRG would want to  
19 come in and actually pay you for the  
20 value of that land. Do you think  
21 they've actually offered that? No.  
22 They offered you, like, \$10, \$12 a  
23 linear foot, when they're devaluing your  
24 property 600,000.

25 I go on their website. They have a

1 website there talking about integrity. I  
2 saw absolutely -- I'm sorry. I'm  
3 nervous. I saw absolutely no integrity  
4 throughout the last year. The people  
5 they hired to come there, there was no  
6 integrity. You would ask them  
7 questions. They'd tell you they'd get  
8 back to you. They never got back to  
9 you. They couldn't answer anything.  
10 And, you know, NRG contributes to the  
11 schools and everything. Every time I  
12 write check to pay my taxes, I'm  
13 contributing to the schools, 911, the  
14 college, the NORD Center. We all do  
15 that. There is nothing exceptionable  
16 about that, really.

17 So I don't know what to tell you.  
18 Some of the land owners are comfortable  
19 with it. Their house is already built.  
20 It's in the back part of their  
21 property. They're making money. That's  
22 not the case in our situation. We are  
23 losing a large sum of money. NRG -- and  
24 we had to hire an attorney -- there's  
25 another thing. We hired an attorney

1           which cost us more money. We never  
2           asked NRG to come on our property. And  
3           we don't get a choice. So we're  
4           literally being raped. But everybody  
5           wants to think that's good. It's not  
6           good.

7           Thank you. That's all I have to  
8           say.

9           HEARING OFFICER: Thank you. Any  
10          questions?

11          MR. O'BRIEN: Miss Walter, I just  
12          have to ask you a question for  
13          clarification. Have you retained an  
14          attorney to represent you in this case?

15          MS. WALTER: Yes, we have. We  
16          didn't have a choice.

17          MR. O'BRIEN: Okay. Thank you,  
18          Your Honor.

19          HEARING OFFICER: The next witness  
20          is the Honorable Bryan Jensen.

21          MR. JENSEN: I don't know if I want  
22          to follow after that.

23                 - - - - -

24                 BRYAN JENSEN,

25          After having been first duly sworn, as

1 hereinafter certified, was examined and testified  
2 as follows:

3 HEARING OFFICER: Please state your  
4 name and address.

5 MR. JENSEN: Bryan Jensen, Mayor of  
6 the City of Avon, 2542 North Long Road.  
7 Just as a disclaimer, in terms of mayors  
8 of Avon and then also Avon Lake, that  
9 sometimes I don't even like Mayor  
10 Zilka. So I'm not here on behalf of the  
11 City of Avon Lake, but I'm on behalf of  
12 the residents of Avon, the residents of  
13 Avon Lake, and also Lorain County.

14 We've gone through and we've seen  
15 that with all the different plants, with  
16 gas and with coal, trying to stop that.  
17 And I can tell you the truth, the  
18 residents of Avon that we've talked to  
19 and I've talked to have never said  
20 anything bad about NRG. You know, the  
21 thing that they are asking for is just  
22 fair value for their land. But in terms  
23 of what Avon residents have given up is,  
24 every time there is an opportunity to  
25 help, they step up. And the residents

1           of the back property, there is a forest  
2           sewer line that goes along the back of  
3           the property, the natural gas line will  
4           go back behind that piece of property  
5           that they've already given up pieces of.  
6           So our residents, I can honestly tell  
7           you, are in support of what this will do  
8           for Avon Lake if it benefits them. I'm  
9           in support of the pipeline in terms of  
10          what it's going to do, for the plant  
11          itself and what it will do for helping  
12          out the residents of Avon Lake and also  
13          the grid for the county. The only thing  
14          that our residents ask is just fair  
15          value for their land. I think that's  
16          been stated numerous times. And I think  
17          that NRG understands that. I hope they  
18          do.

19                We haven't settled, in terms of a  
20                dollar figure because, again, we're  
21                dealing with Avon property that we need  
22                to make sure that we get fair value for  
23                those tax payers, that we have the money  
24                for it.

25                But I can tell you through the

1           workings of NRG, I have not had any  
2           issues at all with them. We've had a  
3           great working relationship back and  
4           forth. And I really want, with the  
5           support of the community on this, is to  
6           support what value this brings. And I  
7           know that we've heard different rumors  
8           about the natural gas, saying that it  
9           can only be used for one thing. You  
10          know, I would like to look at the Board  
11          and say, at some point if that natural  
12          gas can be used to support the area. I  
13          know as a greenhouse owner, the Lorain  
14          County area and parts of it are -- we're  
15          kind of what's called a restricted use  
16          in terms of natural gas. I think there  
17          is opportunity, if there is a lull in  
18          the natural gas in terms of what the  
19          power plant uses, because I heard it's  
20          just for emergency -- or for -- the  
21          natural gas can be spread around the  
22          area and able to get more gas to the  
23          area than what we can afford. But, you  
24          know, again, I -- I feel bad. And, you  
25          know, if they treated you that way, I



1 know that they have not treated the  
2 community of Avon that way. And, again,  
3 from our standpoint, we want to do  
4 what's right for -- for the surrounding  
5 communities. Lorain County has been our  
6 home for forever. And we want to see it  
7 that way. And if this can benefit the  
8 Avon Lake Plant, you know, Avon is 100  
9 percent supportive of it. We still want  
10 to beat Avon Lake next year in football,  
11 but I can tell you that we have always  
12 said, "hey, we want to do what's  
13 right." Just asking for fair value for  
14 those residents' land. Thank you.

15 HEARING OFFICER: Questions,  
16 Mr. O'Brien?

17 MR. O'BRIEN: No questions, Your Honor.

18 HEARING OFFICER: Thank you very  
19 much.

20 Our next witness is Charles  
21 Froehlich.

22 - - - - -

23 CHARLES FROEHLICH,

24 After having been first duly sworn, as  
25 hereinafter certified, was examined and testified

1 as follows:

2 HEARING OFFICER: Please state your  
3 name and address.

4 MR. FROEHLICH: Charles Froehlich.  
5 387 Sycamore Circle, Avon Lake, Ohio.

6 And I don't work for NRG. I actually  
7 work for a ceramic company that operates  
8 in Strongsville. I'm a plant manager  
9 there. And I would like to comment.

10 I believe NRG is important for the  
11 area. Our electrical rates are going  
12 through the roof. And just by keeping  
13 this plant open is going to help  
14 suppress the electrical rates and what's  
15 going on. As more and more coal plants  
16 shut down, our electrical costs are  
17 going up and up, and that's going to  
18 hurt jobs in Ohio.

19 Second point is, I am the president  
20 of the Avon Lake City School Board. And  
21 as looking at NRG, I would like to ask  
22 NRG to slow down a little bit their  
23 request for tax reduction. If they are  
24 going to keep this plant open and it's  
25 going to be a viable plant, it should

1           have a value. And they've gone to both  
2           the Public Utility Commission and to our  
3           Real Estate Commission here in Lorain  
4           County and asked for property reduction  
5           both on the personal property and on the  
6           land value. It's going to hurt our  
7           schools quite a bit if they're  
8           successful in achieving everything that  
9           they're asking for.

10           And then, the last item from an  
11           overall support, a question to NRG. We  
12           heard someone earlier today talk about  
13           stabilizing the grid. I'll put my  
14           engineering hat on for a minute. I  
15           don't understand how a peaker plant,  
16           which is what this is supposed to be  
17           when it's completed, supports the grid.  
18           That's all I have.

19           HEARING OFFICER: Questions,  
20           Mr. O'Brien?

21           MR. O'BRIEN: Yes, Your Honor.  
22           Mr. Froehlich, what's the basis of your  
23           understanding that this is going to be a  
24           peaker plant?

25           MR. FROEHLICH: That's what we've

1           been told in public meetings in Avon  
2           Lake.

3           MR. O'BRIEN: All right. I just  
4           wanted to have that clarification on  
5           record. Thank you.

6           MR. FROEHLICH: Documented, I  
7           believe, when Marcy Kaptur announced the  
8           plant was going to stay open.

9           HEARING OFFICER: Thank you.

10          Mike Foor.

11                       - - - - -

12                       MIKE FOOR,

13          After having been first duly sworn, as  
14          hereinafter certified, was examined and testified  
15          as follows:

16               HEARING OFFICER: State your name  
17               and address.

18               MR. FOOR: Mike Foor. 3333 Grafton  
19               Road, Grafton, Ohio.

20               We negotiated and worked out a deal  
21               with NRG. It was very positive on our  
22               land. They revised the drawings at  
23               least a half dozen times to save a tree  
24               that my wife wanted here or there, and  
25               they moved it around and re-engineered

1           it to make it work to fit our needs and  
2           do as little damage to our property as  
3           possible. So, so far I can say it's  
4           been a positive experience. Thank you.

5           HEARING OFFICER: Any questions?

6           MR. O'BRIEN: No questions, Your  
7           Honor.

8           HEARING OFFICER: Thank you.

9           We have Chauncey Miller.

10                   - - - - -

11           CHAUNCEY MILLER,

12           After having been first duly sworn, as  
13           hereinafter certified, was examined and testified  
14           as follows:

15           HEARING OFFICER: Please state your  
16           name and address.

17           MR. MILLER: Chauncey Miller.  
18           36480 Kinzel Road, Avon, Ohio. I just  
19           want to make a brief statement that I'm  
20           all for the environment and the jobs of  
21           the people, the employees at the power  
22           plant and all the tradesmen. I'm a  
23           retired tradesmen myself, but -- for the  
24           environment. But I think everybody  
25           involved with property should get

1           reasonable compensation for their  
2           property. You know, it will be a  
3           benefit to everybody if they can make it  
4           work. And everybody will gain from it.  
5           We do need the power grid. So that's  
6           all I have to say.

7           HEARING OFFICER: Questions?

8           MR. O'BRIEN: No questions, Your  
9           Honor.

10          HEARING OFFICER: Thank you very  
11          much, Mr. Miller.

12          That concludes the witnesses who  
13          have signed up to testify. Is there  
14          anyone in the audience that has decided  
15          they wish to offer testimony? This is  
16          your final opportunity. Going once.  
17          Going twice. All right. Seeing no one,  
18          I thank everyone for coming here this  
19          evening. This will conclude this  
20          evening's public hearing, and the record  
21          will be submitted for the Board's  
22          consideration in this case.

23          Staff and I will stick around for a  
24          while in case you have questions about  
25          the Board process, how to file comments.

1                   Thank you.   Have a nice evening.

2                   -   -   -   -   -

3                   (Hearing concluded at 7:10 p.m.)

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1 The State of Ohio,     )  
    ) SS:                 CERTIFICATE  
 2 County of Cuyahoga.   )

3         I, Katrina L. Dearborn, Notary Public within  
 4 and for the State of Ohio, duly commissioned and  
 5 qualified, do hereby certify that the within-  
 6 named witnesses were first duly sworn to testify  
 7 the truth, the whole truth, and nothing but the  
 8 truth in the cause aforesaid; that the testimony  
 9 then given by him/her was by me reduced to  
 10 stenotypy in the presence of said witnesses,  
 11 afterwards transcribed on a computer, and that  
 12 the foregoing is a true and correct transcript of  
 13 the testimony so given by him/her as aforesaid.

9         I do further certify that this arbitration  
 10 was taken at the time and place in the foregoing  
 11 caption specified and was completed without  
 12 adjournment.

11         I do further certify that I am not a  
 12 relative, employee of, or attorney for any of the  
 13 parties in the above-captioned action; I am not a  
 14 relative or employee of an attorney for any of  
 15 the parties in the above-captioned action; I am  
 16 not financially interested in the action; I am  
 17 not, nor is the court reporting firm with which I  
 18 am affiliated, under a contract as defined in  
 19 Civil Rule 28(D); nor am I otherwise interested  
 20 in the event of this action.

17         IN WITNESS WHEREOF I have hereunto set my  
 18 hand and affixed my seal of office at Cleveland,  
 19 Ohio on this 13th day of April, 2015.

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Katrina L. Dearborn, Notary Public  
 In and for the State of Ohio.  
 my commission expires 11-02-15.



**This foregoing document was electronically filed with the Public Utilities**

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**Case No(s). 14-1717-GA-BLN**

Summary: Testimony Transcript of the hearing held in Elyria, Ohio on April 8, 2015  
electronically filed by Ms. Katrina Dearborn on behalf of Dearborn Reporting Services